REMARKS

This Amendment is filed in response to the Office Action dated August 4, 2005. All objections and rejections are respectfully traversed.

Claims 1, 3-11, and 13-22 are in the case.

Claims 1, 3-5, 7-8, 11, 13-15, 17-18, and 21-22 have been amended to better claim the invention.

Claims 2 and 12 have been canceled without prejudice.

At paragraph 2 of the Office Action, claims 1-4, 7-10, 12-14, 16-20, and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over O'Malley et al., U.S. Patent Application Publication No. 2004/0174973 published on September 9, 2004, hereinafter O'Malley, in view of Pickett, U.S. Patent Application Publication No. 2003/0219029 published on November 27, 2003, hereinafter Pickett. Applicant assumes that the Examiner meant that claims 1-4, 7-14, 17-20, and 22 were rejected at paragraph 2, based on the subsequent paragraphs in the Office Action. More specifically, it is assumed that claim 11 is included in this ground of rejection because the Examiner stated on page 7 of the Office Action that claim 11 is interpreted and rejected as set forth in claim 1.

The present invention, as set forth in representative claim 1, comprises in part:

1. In a converged services platform, a media resources card comprising:

a central processing unit (CPU) and an associated CPU cache memory;

a plurality of digital signal processors (DSPs), each of which has an associated DSP cache memory, coupled in communicating relationship with said CPU; and

a network interface, coupled in communicating relationship with said CPU, through which said media resources card may communicate with a file server;

> wherein said CPU and DSPs execute a caching algorithm in which a cached file may be assigned at least one of ***a persistence level attribute*** and a timer expiration attribute, ***wherein said persistence level attribute includes programming for specifying how readily or not said cached file may be deleted from one or more of said cache memories in relation to a number of remaining cached files of other persistence levels***.

O'Malley discloses an audio conference platform with a dynamic speech detection threshold to determine whether there is speech on a line. The conference platform includes conventional hardware, such as central processing units (CPUs), network interface cards (NICs), digital signal processors (DSPs), etc.

Pickett discloses systems and methods for voice and/or data communications that may occur in multiple modes and/or protocols. As part of these systems and methods, Pickett teaches a memory that is organized in a "hierarchical manner, with, for example, various levels of information" (paragraph 0298). The levels of information described include information retained until deleted, information retained until expiration of a timer unless an event has occurred, and information that is retained until expiration of a timer, regardless of any events. The general concept put forth by Pickett is that "less critical information [is] *periodically purged* in order to make room for additional information in memory" (paragraph 0298, *emphasis added*). The memory described in Pickett is a timer-based system that *periodically purges* memory. The hierarchy described therein distinguishes between if and/or when information is to be deleted from memory based on the expiration of a timer.

Applicant respectfully urges that neither the O'Malley publication nor the Pickett publication show Applicant's claimed novel "***persistence level attribute... wherein said persistence level attribute includes programming for specifying how readily or not said cached file may be deleted from one or more of said cache memories in relation to a number of remaining cached files of other persistence levels***."

Applicant claims a converged services platform having a caching algorithm in which a cached file may be assigned a persistence level attribute. This persistence level attribute is used to specify whether a cached file may be deleted based upon the number of remaining cached files of other persistence levels. For example, cached files having a higher persistence level are not removed from the cache until those having a lower persistence level have been substantially removed (e.g., all of them). O'Malley does not mention control or organization of memory or cache memory in detail. Pickett, on the other hand, does mention a hierarchical memory (notably not a cache memory), but a memory with a different hierarchy than that which Applicant has claimed. As noted above, the hierarchy described in Pickett is merely to distinguish between if and/or when information is to be deleted from memory based on the expiration of a timer. Though Applicant's technique may also include a timer attribute, it is a persistence level attribute that also determines whether the cached file is to be removed. Pickett does not mention or disclose a persistence level attribute that specifies whether a cached file may be deleted based on the ***number of remaining cached files of other persistence levels***, as does the Applicant's claimed invention.

Applicant respectfully urges that the O'Malley publication and the Pickett publication either taken singly or taken in combination are legally insufficient to render the presently claimed invention obvious under 35 U.S.C. §103 because of the absence in each of the cited publications of Applicant's claimed novel "***persistence level attribute... wherein said persistence level attribute includes programming for specifying how readily or not said cached file may be deleted from one or more of said cache memories in relation to a number of remaining cached files of other persistence levels***."

At paragraph 3 of the Office Action, claims 5, 6, 11, and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over O'Malley and Pickett in view of Dye et al.,

U.S. Patent No. 6,879,266, issued on April 12, 2005, hereinafter Dye. Applicant assumes that the Examiner meant that claims 5-6 and 15-16 were rejected at paragraph 3, based on the subsequent paragraphs in the Office Action. Applicant respectfully urges that claims 5-6 and 15-16 are dependent claims that are believed to be dependent from allowable independent claims, and therefore in condition for allowance

At paragraph 4 of the Office Action, claim 21 was objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 21 has been amended into an independent claim including all of the limitations of the base claim and any intervening claims, and is therefore believed to be in condition for allowance.

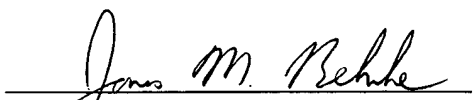
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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